

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Suspension or)	
)	ORDER OF
Revocation of the Educator Certificate of)	
)	SUSPENSION
Eleanor Kirkland)	
)	
Certificate 111917)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 8, 2006. On January 23, 2005, the South Carolina Department of Education (Department) sent Eleanor Kirkland, a notice of her right to a hearing before the State Board concerning the possible revocation of her South Carolina educator certificate 111917 by certified mail, return receipt, restricted delivery, and regular mail. Ms. Kirkland received the notice as evidenced by a postal receipt bearing her signature. On January 25, 2006, Ms. Kirkland notified the Office of General Counsel by telephone that she did not wish to request a hearing. After considering the evidence presented, the State Board voted to order the three-year suspension of Ms. Kirkland's certificate.

FINDINGS OF FACT

Ms. Kirkland holds a valid South Carolina certificate with over twenty years of educator experience. During the 2005-06 school year, Ms. Kirkland was a special education teacher at Mount Pleasant Middle School in Lee County School District. On November 21, 2005, the Lee County Board of Trustees voted to terminate Ms. Kirkland's employment with the District after Ms. Kirkland grabbed a thirteen-year old, mentally disabled, female student by the wrist, resulting in the student requiring surgery for a broken wrist. Ms. Kirkland was subsequently arrested on February 7, 2006, and charged with Assault and Battery of a High and Aggravated Nature.

CONCLUSIONS OF LAW

“The State Board of Education may, for just cause, either revoke or suspend the certificate of any person. "S.C. Code Ann. §59-25-150 (2004), S.C. Code Ann. §59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58. Just cause includes unprofessional conduct and crime against the law of this State or the United States. S.C. Code Ann. § 59-25-160 (2004). The State Board finds that the information presented supports its determination that just cause exists to suspend Ms. Kirkland’s certificate 111917, for a three-year period, commencing on March 8, 2006, through March 7, 2009. If Ms. Kirkland wishes to have her certificate reinstated at the end of the suspension period, Ms. Kirkland must make a written request to the Office of Educator Certification of the Department and she must pass a character and fitness review by the State Board.

South Carolina State Board of Education

By: /S/ Joe Isaac

Joe Isaac, Chair

Columbia, South Carolina
March 8, 2006